

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	NO: WA:18-CR-00241(1)-ADA
	§	
(1) ERIC GERODD SYPHO	§	

ORDER ACCEPTING AMENDED REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

Before the court is the above styled and numbered cause. On March 1, 2019 the United States Probation Office filed a Petition For Warrant or Summons For Offender Under Supervision for Defendant (1) ERIC GERODD SYPHO, which alleged that Sypho violated a condition of his supervised release and recommended that Sypho 's supervised release be revoked (Clerk's Document No. 5). A warrant issued and Sypho was arrested. On September 18, 2019, Sypho appeared before a United States Magistrate Judge, was ordered detained, and a revocation of supervised release hearing was set.

Sypho appeared before the magistrate judge on September 24, 2019, waived his right to a preliminary hearing and to be present before the United States District Judge at the time of modification of sentence, and consented to allocution before the magistrate judge. Following the hearing, the magistrate judge signed the amended report and recommendation on May 24, 2023, which provides that having carefully considered all of the arguments and evidence presented by the Government and Defendant, based on the

original offense and the intervening conduct of Sypho, the magistrate judge recommends that this court revoke Sypho's supervised release and that Sypho be sentenced to imprisonment for Thirty (30) months, with no term supervised release to follow the term of imprisonment (Clerk's Document No. 22).

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en bane*). The parties in this cause were properly notified of the consequences of a failure to file objections.

The court, having reviewed the entire record and finding no plain error, accepts and adopts the report and recommendation filed in this cause.

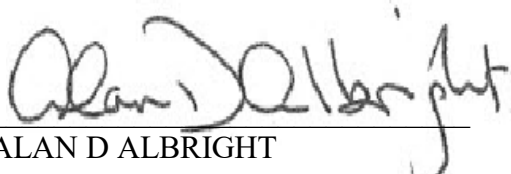
IT IS THEREFORE ORDERED that the Report and Recommendation of the United States Magistrate Judge filed in this cause (Clerk's Document No. 22) is hereby **ACCEPTED AND ADOPTED** by this court.

IT IS FURTHER ORDERED that Defendant (1) ERIC GERODD SYPHO's

term of supervised release is hereby REVOKED.

IT IS FURTHER ORDERED that Defendant (1) ERIC GERODD SYPHO be imprisoned for Thirty (30) months with no term of supervised release.

Signed this 30th day of May, 2023.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE